United Nations E/C.19/2017/L.2

Economic and Social Council

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Permanent Forum on Indigenous Issues
Sixteenth session
New York, 24 April-5 May 2017

Draft decisions recommended by the Permanent Forum on Indigenous Issues for adoption by the Economic and Social Council

The Permanent Forum on Indigenous Issues recommends to the Economic and Social Council the adoption of the following draft decisions:

Draft decision I
International expert group meeting on the theme "Sustainable development in territories of indigenous peoples"

The Economic and Social Council decides to authorize a three-day international expert group meeting on the theme "Sustainable development in territories of indigenous peoples".

Draft decision II
Venue and dates for the seventeenth session of the Permanent Forum on Indigenous Issues

The Economic and Social Council decides that the seventeenth session of the Permanent Forum on Indigenous Issues shall be held at United Nations Headquarters from 16 to 27 April 2018.

Draft decision III
Report of the Permanent Forum on Indigenous Issues on its sixteenth session and provisional agenda for its seventeenth session

The Economic and Social Council:

(a) Takes note of the report of the Permanent Forum on Indigenous Issues on its sixteenth session;

(b) Approves the provisional agenda for the seventeenth session of the Permanent Forum as set out below:

1. Election of officers.

2. Adoption of the agenda and organization of work.

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3. Follow-up to the recommendations of the Permanent Forum.

4. Implementation of the six mandated areas of the Permanent Forum with reference to the United Nations Declaration on the Rights of Indigenous Peoples.

5. Dialogue with indigenous peoples.

6. Dialogue with Member States.

7. Dialogue with agencies, funds and programmes of the United Nations system.

8. Discussion on the theme "Indigenous peoples' collective rights to lands, territories and resources".

9. 2030 Agenda for Sustainable Development.

10. Dialogue with the Special Rapporteur on the rights of indigenous peoples and the Chair of the Expert Mechanism on the Rights of Indigenous Peoples.

11. Follow-up to the outcome document of the World Conference on Indigenous Peoples:

    (a) Implementation of national action plans, strategies and other measures;

    (b) Ways to enhance the participation of indigenous peoples at the United Nations;

    (c) Implementation of the United Nations system-wide action plan on indigenous peoples.

12. Future work of the Permanent Forum, including issues considered by the Economic and Social Council and emerging issues.

13. Provisional agenda for the eighteenth session.

14. Adoption of the report of the Permanent Forum on its seventeenth session.

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Permanent Forum on Indigenous Issues
Sixteenth session
New York, 24 April-5 May 2017
Agenda item 14
Adoption of the report of the Permanent Forum on Indigenous Issues on its sixteenth session

Draft report

Rapporteur: Mr. Brian **Keane**

Chapter I
Matters calling for action by the Economic and Social Council or brought to its attention

A. Draft decisions recommended by the Forum for adoption by the Council

1. The Permanent Forum on Indigenous Issues recommends to the Economic and Social Council the adoption of the following draft decisions:

[*To be completed*]

B. Matters brought to the attention of the Council

2. The Permanent Forum has identified the proposals, objectives, recommendations and areas of possible future action set out below and, through the Council, recommends that States, entities of the United Nations system, intergovernmental organizations, indigenous peoples, the private sector and non-governmental organizations assist in their realization.

3. It is the understanding of the secretariat of the Permanent Forum that those proposals, objectives, recommendations and areas of possible future action to be carried out by the United Nations, as set out below, will be implemented to the extent possible within the context of the approved programme of work of the relevant entities.

Recommendations of the Permanent Forum

[*To be completed]*

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Chapter II
Venue, dates and proceedings of the session

4. By its decision 2016/251, the Economic and Social Council decided that the sixteenth session of the Permanent Forum would be held at United Nations Headquarters from 24 April to 5 May 2017.

5. At its 6th and 13th meetings, on 27 April and 3 May, the Permanent Forum considered agenda item 3, entitled "Follow-up on the recommendations of the Permanent Forum", sub-items (a) ("Empowerment of indigenous women") and (b) ("Indigenous youth"). For its consideration of the item, the Forum had before it the documents entitled "Update on the implementation of the recommendations of the Permanent Forum" (E/C.19/2017/3), "Compilation of information from Member States on addressing the recommendations of the Permanent Forum" (E/C.19/2017/6), "Compilation of information received from indigenous peoples' organizations" (E/C.19/2017/7), "Compilation of information received from agencies, funds and programmes of the United Nations system and other intergovernmental bodies on progress in the implementation of the recommendations of the Permanent Forum" (E/C.19/2017/8), and "Compilation of information from national human rights institutions" (E.C.19/2017/9). At its [ ] meeting, on [ ] May, the Forum considered and adopted its recommendations submitted under agenda item 3 (see chap. I, sect. B).

6. At its 4th, 5th and 13th meetings, on 26 and 27 April and on 3 May, the Forum considered agenda item 4, entitled "Implementation of the six mandated areas of the Permanent Forum with reference to the United Nations Declaration on the Rights of Indigenous Peoples". At its [ ] meeting, the Forum considered and adopted its recommendations submitted under that item (see chap. I, sect. B).

7. At its 11th meeting, on 2 May, the Forum considered agenda item 5, entitled "Dialogue with indigenous peoples". At its [ ] meeting, the Forum considered and adopted its recommendations submitted under that item (see chap. I, sect. B).

8. At its 12th meeting, on 2 May, the Forum considered item 6, entitled "Dialogue with Member States". At its [ ] meeting, the Forum considered and adopted its recommendations submitted under that item (see chap. I, sect. B).

9. At its 8th meeting, on 28 April, the Forum considered agenda item 7, entitled "Dialogue with the funds, programmes and specialized agencies of the United Nations system". At its [ ] meeting, the Forum considered and adopted its recommendations submitted under that item (see chap. I, sect. B).

10. At its 2nd and 3rd meetings, on 24 and 25 April, the Forum considered agenda item 8, entitled "Discussion on the theme: 'Tenth anniversary of the United Nations Declaration on the Rights of Indigenous Peoples: measures taken to implement the Declaration'". For its consideration of the item, the Forum had before it two notes by the Secretariat entitled "Tenth anniversary of the United Nations Declaration on the Rights of Indigenous Peoples: measures taken to implement the Declaration" (E/C.19/2017/4), and "International expert group meeting on the theme 'Implementation of the United Nations Declaration on the Rights of Indigenous Peoples: the role of the Permanent Forum on Indigenous Issues and other indigenous-specific mechanisms (article 42)'" (E/C.19/2017/10). At its [ ] meeting, the Forum considered and adopted its recommendations submitted under agenda item 8 (see chap. I, sects. A and B).

11. At its 14th meeting, on 4 May, the Forum considered agenda item 9, entitled "2030 Agenda for Sustainable Development". For its consideration of the item, the Forum had before it a note by the Secretariat entitled "Update on indigenous

peoples and the 2030 Agenda" (E/C.19/2017/5 and E/C.19/2017/5/Corr.1). At its [ ] meeting, the Forum considered and adopted its recommendations submitted under that item (see chap. I, sect. B).

12. At its 9th and 10th meetings, on 1 May, the Forum considered agenda item 10, entitled "Dialogue with the Special Rapporteur on the rights of indigenous peoples and the Chair of the Expert Mechanism on the Rights of Indigenous Peoples with regard to indigenous human rights defenders". At its [ ] meeting, the Forum considered and adopted its recommendations submitted under that item (see chap. I, sect. B).

13. At its 7th meeting, on 28 April, the Forum considered agenda item 11, entitled "Follow-up to the outcome document of the World Conference on Indigenous Peoples", sub-items (a) ("Implementation of national action plans, strategies or other measures"), (b) ("Ways to enhance the participation of indigenous peoples at the United Nations") and (c) ("Implementation of the United Nations system-wide action plan on indigenous peoples"). For its consideration of the item, the Forum had before it a note by the Secretariat entitled "Implementation of the United Nations system-wide action plan on indigenous peoples" (E/C/19/2017/2), submitted under sub-item (c). At its [ ] meeting, the Forum considered and adopted its recommendations submitted under agenda item 11 (see chap. I, sect. B).

14. At its 15th meeting, on 4 May, the Forum considered agenda item 12, entitled "Future work of the Permanent Forum, including issues considered by the Economic and Social Council and emerging issues". At its [ ] meeting, the Forum considered and adopted its recommendations submitted under that item (see chap. I, sect. B).

15. At its [ ] meeting, the Forum considered agenda item 13, entitled "Provisional agenda for the seventeenth session". At the same meeting, the Forum considered and adopted a draft decision submitted under that item (see chap. I, sect. A).

Chapter III
Adoption of the report of the Forum on its sixteenth session

16. At its [ ] meeting, the Rapporteur introduced the draft decisions and recommendations and the draft report of the Permanent Forum on its sixteenth session.

17. At the same meeting, the Permanent Forum adopted its draft report.

Chapter IV
Organization of the session

A. Opening and duration of the session

18. The Permanent Forum held its sixteenth session at United Nations Headquarters from 24 April to 5 May 2017. It held 16 formal meetings and 3 closed meetings to consider the items on its agenda.

19. At the 1st meeting, on 24 April, the session was opened by the Assistant Secretary-General for Economic Development. At the opening ceremony, Tadodaho Sid Hill, of the Onondaga Nation, delivered a welcoming address. The Vice-President of the General Assembly (Nepal) and the Vice-President of the Economic and Social Council (Chile) delivered statements.

20. At the same meeting, statements were made by the Chair of the Permanent Forum, the Assistant Secretary-General for Economic Development, the Minister of Indigenous and Northern Affairs of Canada, and the Assistant Secretary-General and Deputy Executive Director of the United Nations Entity for Gender Equality and the Empowerment of Women.

B. Attendance

21. Members of the Forum and representatives of Governments, intergovernmental organizations and bodies, United Nations entities and non-governmental and indigenous organizations attended the session. The list of participants will be published at a later date.

C. Election of officers

22. At its 1st meeting, the Forum elected the following members of the Bureau by acclamation:

Chair:

Mariam Wallet Mohamed Aboubakrine

Vice-Chairs:

Phoolman Chaudhary
Jens Dahl
Jesus Guadalupe Fuentes Blanco
Terri Henry

Rapporteur:

Brian Keane

D. Agenda

23. At its 1st meeting, the Forum adopted the provisional agenda contained in document E/C.19/2017/1.

E. Documentation

24. The list of the documents before the Forum at its sixteenth session will be published at a later date.

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Sixteenth session
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Draft report

Rapporteur: Mr. Brian **Keane**

Chapter I
Matters calling for action by the Economic and Social Council or brought to its attention

B. Matters brought to the attention of the Council

Recommendations of the Permanent Forum

Discussion on the theme "Tenth anniversary of the United Nations Declaration on the Rights of Indigenous Peoples: measures taken to implement the Declaration"

1. The United Nations Declaration on the Rights of Indigenous Peoples is the most comprehensive international instrument on the rights of indigenous peoples. It both establishes a universal framework of minimum standards for the survival, dignity and well-being of indigenous peoples and elaborates on existing human rights instruments and clarifies how they apply to the specific situations of indigenous peoples.

2. Collective rights to lands, territories and resources and the right to self-determination, as recognized in articles 3 and 26, are among the most important provisions of the Declaration and the most challenging to implement. Legal recognition of indigenous peoples to land, territories and resources must be complemented by effective implementation through enabling legislation, executive action and judicial protection. It is also critical that legislation enacted to establish recognition of indigenous peoples' rights not be undermined or contravened by other laws and regulations.

3. The implementation of the Declaration has achieved some major successes. Constitutional and legislative frameworks that recognize indigenous peoples, including targeted policies and programmes, have been developed in some countries, and there is a growing body of national and regional jurisprudence recognizing the legal rights of indigenous peoples.

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4. United Nations agencies, funds and programmes, including the International Fund for Agricultural Development, the International Labour Organization, the Food and Agriculture Organization of the United Nations, the United Nations Development Programme, the United Nations Environment Programme, the United Nations Entity for Gender Equality and the Empowerment of Women and the Office of the United Nations High Commissioner for Human Rights, have also taken action to advance the implementation of the Declaration through their own frameworks, country dialogues and the system-wide action plan for ensuring a coherent approach to achieving the ends of the Declaration.

5. At the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, held in 2014, States committed themselves to taking concrete action to achieve the ends of the Declaration. The process for the World Conference constituted in itself a good practice of partnership between indigenous peoples and Member States working together to identify gains and priorities for future action. The efforts of the General Assembly to enable the enhanced participation of indigenous peoples at the United Nations represents a continuation of that good practice. Of particular importance, as reflected in the outcome document, are the commitments made by States, in cooperation with indigenous peoples, to implement national action plans, strategies and other measures and to take legislative, policy and/or administrative measures to achieve the ends of the Declaration.

6. The Permanent Forum welcomes the organization of the high-level event of the General Assembly to mark the tenth anniversary of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, held on 25 April 2017 at United Nations Headquarters in New York, with the participation of the mechanisms specific to indigenous peoples, namely the Permanent Forum on Indigenous Issues, the Special Rapporteur on the rights of indigenous peoples and the Expert Mechanism on the Rights of Indigenous Peoples, and of representatives of the seven sociocultural regions.

7. Notwithstanding the progress made in implementing the Declaration over the past decade, the Permanent Forum is concerned about a gap between the formal recognition of indigenous peoples and the implementation of their rights in practice. Indigenous peoples continue to face exclusion, marginalization and major challenges in enjoying their basic rights. Ten years after the adoption of the Declaration, the usurpation of indigenous peoples' lands and resources continues at an alarming rate, and threats and violence against indigenous peoples who defend their territories, rights and livelihoods have increased dramatically. The Permanent Forum is also concerned about the continued refusal of some States to recognize the existence of indigenous peoples, and that free, prior and informed consent is rarely, if ever, obtained from communities for projects and legislation that affect them.

8. The Permanent Forum urges Member States, in their regular reporting to the United Nations human rights treaty bodies and, in particular, to the Human Rights Council through the universal periodic review, to include the actions taken to implement the recommendations made by the Special Rapporteur on the rights of indigenous peoples, the Expert Mechanism on the Rights of Indigenous Peoples and the Permanent Forum on Indigenous Issues.

9. The Permanent Forum urges all States to substantially increase the human, financial and technical resources made available to implement the Declaration, in accordance with article 39 thereof, and to overcome the remaining gaps between the formal recognition of indigenous peoples and the implementation of their rights.

10. The Permanent Forum encourages the International Labour Organization to promote the ratification of the Indigenous and Tribal Peoples Convention, 1989 (No. 169).

11. The Permanent Forum encourages Member States, with bilateral development agencies, to enact, in accordance with the Declaration, policies that ensure the inclusion of indigenous peoples as partners in the development process with a meaningful role in the design, implementation, monitoring and evaluation of all projects that affect their territories, rights and livelihoods.

12. The Permanent Forum urges United Nations agencies, funds and programmes to cooperate with States and indigenous peoples in the development and implementation of national action plans, strategies and other measures that aim to achieve the ends of the Declaration, including providing support for the advancement and adjudication of the collective rights of indigenous peoples to their lands, territories and resources.

13. The Permanent Forum encourages resident coordinators and United Nations country teams to ensure the full and effective participation of indigenous peoples, including indigenous women and youth, in the preparation of the United Nations Development Assistance Frameworks and country programme action plans.

14. The Permanent Forum recommends to the International Labour Organization and its Governing Body the organization of a technical expert meeting to consider the drafting of a recommendation to supplement the Indigenous and Tribal Peoples Convention.

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Draft report

Rapporteur: Mr. Brian **Keane**

Chapter I
Matters calling for action by the Economic and Social Council or brought to its attention

B. Matters brought to the attention of the Council

Recommendations of the Permanent Forum

Follow-up on the recommendations of the Permanent Forum

Empowerment of indigenous women

1. The Permanent Forum will continue to play a key role in the empowerment of indigenous women and to provide a platform in which States, the United Nations system and indigenous women evaluate the progress made and the challenges that remain to overcome the marginalization and exclusion of indigenous women.

2. The Permanent Forum urges States to cooperate with indigenous peoples to prevent and eliminate all forms of violence and discrimination against indigenous women, children, youth, older persons and persons with disabilities and to support measures aimed at ensuring their full and effective participation in decision-making processes at all levels and at eliminating structural and legal barriers to their full, equal and effective participation in political, economic, social and cultural life.

3. The Permanent Forum urges States to expand opportunities to enable indigenous women to participate actively in the political life of the country in which they live. The Forum also urges States to ensure the safety of indigenous women who are defending the rights of their peoples and territories and to prosecute those involved in incidents of violence against them.

4. The Permanent Forum welcomes the consideration of the empowerment of indigenous women as the focus area of the sixty-first session of the Commission on the Status of Women and urges Governments to report on efforts to fully implement Commission resolutions 49/7, entitled "Indigenous women: beyond the ten-year

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review of the Beijing Declaration and Platform for Action", and 56/4, entitled "Indigenous women: key actors in poverty and hunger eradication".

5. The Permanent Forum reiterates the need for the implementation of recommendation 12 of its third session, relating to the situation of indigenous women migrants. The Forum invites the International Labour Organization to coordinate with other appropriate agencies, in cooperation with indigenous women's organizations, to prepare a report on the situation of indigenous women with regard to informal work, migration and working conditions, for submission at its eighteenth session.

6. The Permanent Forum recommends that the International Labour Organization, in collaboration with the United Nations Population Fund and other relevant United Nations agencies, prepare a study on access to the labour market, labour conditions of indigenous women and youth and the challenges, barriers and stereotypes that may affect their professional development, for submission at the eighteenth session.

7. The Permanent Forum reiterates the need to implement recommendation 30 of its tenth session and invites the secretariat of the United Nations Framework Convention on Climate Change to prepare a study on the impacts of climate change on indigenous women, for submission at the eighteenth session.

Indigenous youth

8. The Permanent Forum has, in recent years, expressed considerable concern regarding the situation of indigenous youth and the lack of disaggregated data thereon. To take action on this, in 2016, the Forum decided to include a recurring item on indigenous youth in the agenda of its annual sessions and has issued several youth-specific recommendations. The Forum welcomes the progress made and encourages further action by indigenous organizations and youth, as well as by members of the United Nations Inter-Agency Network on Youth Development and the Inter-Agency Support Group on Indigenous Peoples' Issues, in implementing those recommendations.

9. The Permanent Forum recommends that indigenous peoples' organizations, as well as the United Nations entities in the Inter-Agency Network on Youth Development and the Inter-Agency Support Group on Indigenous Peoples' Issues, consult indigenous youth-led organizations to include issues pertaining to indigenous youth in their work at the local, national, regional and global levels.

10. The Permanent Forum calls upon the Economic and Social Council, including its youth forum, the high-level political forum on sustainable development, the Commission on the Status of Women and the Commission for Social Development, as well as other relevant United Nations forums, to include representatives of indigenous youth-led organizations in their meetings.

11. The Permanent Forum recommends that States provide financial support to the United Nations Voluntary Fund for Indigenous Peoples to facilitate the participation of indigenous youth in all relevant United Nations meetings.

12. The Permanent Forum takes note of the organization of preparatory meetings for indigenous youth for its sixteenth session, including the Global Indigenous Youth Caucus meeting hosted by the Food and Agricultural Organization of the United Nations. The Forum recommends that this practice be scaled up in 2018, with representative participation of indigenous youth through indigenous peoples' organizations from all regions, and invites the Food and Agricultural Organization to report back on progress at its seventeenth session, in 2018.

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Rapporteur: Mr. Brian **Keane**

Chapter I
Matters calling for action by the Economic and Social Council or brought to its attention

B. Matters brought to the attention of the Council

Recommendations of the Permanent Forum

Implementation of the six mandated areas of the Permanent Forum with reference to the United Nations Declaration on the Rights of Indigenous Peoples (item 4)

1. Fulfilling the objectives of the United Nations Declaration on the Rights of Indigenous Peoples requires continuous follow-up, monitoring and observation of the six mandated areas. The sixteenth session attracted speakers from among government representatives, national human rights institutions, intergovernmental organizations and indigenous peoples, a large number of whom reported on the importance of the implementation of the Declaration on the occasion of its tenth anniversary. From the interventions presented, the Permanent Forum is concerned that not enough is being done to improve indigenous peoples' rights in the areas of health, education, human rights, economic and social development, environment and culture.

Human rights

2. The Permanent Forum welcomes the adoption of the American Declaration on the Rights of Indigenous Peoples by the Organization of American States on 15 June 2016. The Forum calls upon States to implement the American Declaration to advance the rights of indigenous peoples in accordance with the United Nations Declaration on the Rights of Indigenous Peoples, the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization and other human rights instruments.

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3. The Permanent Forum appreciates the participation and active input of national and regional human rights institutions at its sixteenth session, encourages studies and reports by the national human rights institutions in the promotion and protection of indigenous rights and invites them to present their reports and studies in future sessions.

4. Notwithstanding the developments in international human rights standards, indigenous peoples continue to face denial of their most basic human rights, including the right to self-determination. The Permanent Forum notes the affirmation that the rights of indigenous peoples are a matter of international concern and that the United Nations has an important role to play in the promotion and protection of their rights, as stated in articles 19 and 20 of the Declaration. The Permanent Forum remains committed to promoting respect for, and the full application of, the provisions of the Declaration and to following up on its effectiveness.

5. Recalling the recommendations made by the Permanent Forum in 2011 in the report of the study on the Chittagong Hill Tracts Accord of 1997 (E/C.19/2011/6, sect. VIII), and given that the situation of the indigenous peoples of the Chittagong Hill Tracts continues to give rise to concern, the Forum encourages the Government of Bangladesh to allocate sufficient human and financial resources and set a time frame for the full implementation of the Accord.

6. The Permanent Forum calls upon the Government of the United States of America to comply with the provisions recognized in the Declaration and to ensure the right of the Sioux to participate in decision-making, given that the construction of the Dakota access pipeline will affect their rights, lives and territory, as set out in article 19 of the Declaration. Furthermore, the Forum recommends that the United States Government initiate an investigation of alleged human rights abuses by private security and law enforcement officers with regard to the pipeline.

7. The Permanent Forum takes note of the Deatnu (Tana/Teno) river fishing agreement between the Governments of Finland and Norway that was adopted by their respective Parliaments in March 2017. The Sami Parliaments of Finland and Norway have informed the Forum that the agreement was adopted without the free, prior and informed consent of the Sami. The Forum requests the Governments of Finland and Norway to renegotiate the agreement with the full and effective participation of Sami rights holders.

8. The Permanent Forum urges Colombia to ensure that indigenous peoples are partners in the development of the regulatory framework of the Colombian peace agreement and that a process of free, prior and informed consent is established for the implementation of the "ethnic chapter" of the agreement.

Economic and social development

9. Recalling article 32 of the Declaration, which recognizes that indigenous peoples have the right to "determine and develop priorities and strategies for the development or use of their lands or territories and other resources", the Permanent Forum urges the African Development Bank, the European Investment Bank and the Nordic Investment Bank to develop and adopt a policy on indigenous peoples based on the Declaration, to ensure that they respect, promote and protect the rights of indigenous peoples.

10. The Permanent Forum welcomes the progress made in the development of community-based tools to monitor the implementation of the Declaration, the outcome document of the World Conference on Indigenous Peoples and the 2030 Agenda for Sustainable Development and encourages collaboration and

contributions from Governments, United Nations agencies, indigenous peoples and civil society organizations to the Indigenous Navigator framework and other tools in order to strengthen community-based monitoring of global commitments made under the Declaration, the World Conference and the Sustainable Development Goals.

11. The Permanent Forum is concerned at the World Bank's recent grant of a waiver to its indigenous peoples' policy (operational policy 4.10) and requests the World Bank to ensure that waivers will not be used in future. Furthermore, the Forum requests the Bank to provide in writing a status update on the waiver issued to the Southern Agricultural Growth Corridor of Tanzania project to the Forum.

12. The Permanent Forum recommends that the World Bank engage the Special Rapporteur on the rights of indigenous peoples, the Expert Mechanism on the Rights of Indigenous Peoples and the Permanent Forum in the development of guidance for the implementation of the new Environmental and Social Standard 7: Indigenous Peoples.

Environment

13. The Permanent Forum has made a number of recommendations, in particular at its seventh and ninth sessions, on conservation and human rights, which to date remain largely unimplemented. Particular attention has been given by the Forum to the critical issue of free, prior and informed consent of indigenous peoples in establishing and managing any protected area that affects their territories, livelihoods and resources. Those recommendations should be implemented urgently, considering the continued infliction of human rights violations on indigenous peoples in relation to conservation measures.

14. The Permanent Forum urges the Government of Kenya to recognize and formally protect the land and resource rights of the Ogiek and Sengwer peoples in line with the Constitution of Kenya, the Community Land Act of 2016 and other relevant laws before moving ahead with planned conservation efforts in the Cherangany Hills.

15. The Permanent Forum urges the International Union for Conservation of Nature to establish a task force on conservation and human rights to work with indigenous peoples' communities and organizations to clearly articulate the rights of indigenous peoples in the context of conservation initiatives and to continue to promote grievance mechanisms and avenues for redress in the context of conservation action, including the Whakatane Mechanism. The Forum invites the Union to report on progress made in the implementation of these recommendations in future sessions.

16. The Permanent Forum recommends that States develop laws and policies to ensure the recognition, continued vitality and protection from misappropriation of indigenous traditional knowledge.

Culture

17. The Permanent Forum encourages States to continue cooperating with indigenous peoples to develop fair, transparent and effective mechanisms for the repatriation of ceremonial objects and human remains, at the national and international levels.

Education

18. Recalling article 14, paragraph 1, of the Declaration, and its recommendation at its third session, the Permanent Forum urges indigenous peoples, with the support

of Member States, to adopt and fully implement comprehensive national indigenous education policies.

19. Recalling paragraph 86 of its report on its eighth session (E/2009/43-E/C.19/2009/14), the Permanent Forum urges public and private education institutions to provide permanent positions to indigenous teachers and to establish scholarships exclusively designated for indigenous students.

Health

20. The Permanent Forum recommends that the Joint United Nations Programme on HIV/AIDS, in collaboration with the United Nations Population Fund and the Inter-Agency Support Group on Indigenous Peoples' Issues, sponsor an expert group meeting on HIV/AIDS by 2019, which would include the full and effective participation of indigenous peoples living with and affected by HIV/AIDS, to analyse the sociocultural and economic determinants of health for HIV/AIDS prevention, care and treatment in indigenous communities, with the Forum's collaboration, in order to ensure the realization of target 3.3 of the Sustainable Development Goals.

21. The Permanent Forum invites the United Nations Population Fund, in collaboration with the Permanent Forum, to identify good practices of culturally appropriate intervention models from its work in developing countries that support indigenous peoples, in particular women and girls, in exercising their health and reproductive rights and to report to the Forum on those models by 2018.

22. The Permanent Forum recognizes the efforts made by the United Nations Population Fund, the United Nations Children's Fund and the United Nations Entity for Gender Equality and the Empowerment of Women and recommends that they continue efforts to implement the recommendation made by the Forum at its fifteenth session (E/2016/43-E/C.19/2016/11, para. 38) to develop a fact sheet on maternal and child health in indigenous communities and present the fact sheet to the Forum by 2018, in order to achieve target 3.7 of the Sustainable Development Goals.

23. The Permanent Forum recommends that States collaborate with indigenous peoples to ensure adequate resources to design and fully implement HIV/AIDS and hepatitis B and C programmes that address the social, economic and cultural determinants of health for HIV prevention, care and treatment in indigenous populations.

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Rapporteur: Mr. Brian **Keane**

Chapter I
Matters calling for action by the Economic and Social Council or brought to its attention

B. Matters brought to the attention of the Council

Recommendations of the Permanent Forum

Future work of the Permanent Forum, including issues considered by the Economic and Social Council and emerging issues

1. The Permanent Forum expresses thanks to the Government of Canada for hosting its pre-sessional meeting for 2016 and to the Governments of Bolivia (Plurinational State of), Canada, China, the Congo, Denmark, Guatemala, Mexico, Nicaragua, Norway, the Russian Federation, Spain and the United States of America, as well as the Government of Greenland, for having hosted previous pre-sessional meetings and intersessional meetings of the Forum. The Forum recommends that States that have not yet done so consider hosting future such meetings. The Forum also requests the secretariat of the Forum to organize pre-sessional meetings for future sessions of the Forum.

International Year of Indigenous Languages, 2019

2. The Permanent Forum welcomes the proclamation of the International Year of Indigenous Languages, beginning in January 2019, to draw attention to the critical loss of indigenous languages and the urgent need to preserve, revitalize and promote indigenous languages and to take further urgent steps at the national and international levels. The Forum takes note with appreciation of the commitment made by the United Nations Educational, Scientific and Cultural Organization (UNESCO) to serving as the lead agency for the Year, in collaboration with other relevant agencies.

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3. In the light of the proclamation of the International Year, the Permanent Forum invites Member States, in close cooperation with indigenous peoples, UNESCO and other relevant United Nations agencies, to participate actively in the planning of the Year, including by organizing national and international expert meetings to raise awareness of and plan specific activities for the Year and securing additional and adequate funding for the successful preparation and implementation of the Year, including by supporting the establishment of an indigenous-led fund dedicated to the preservation and revitalization of indigenous languages.

4. The Permanent Forum recommends that UNESCO, in cooperation with the Expert Mechanism on the Rights of Indigenous Peoples, the Forum and the Special Rapporteur on the rights of indigenous peoples and with the direct participation of indigenous peoples, including the Indigenous Peoples Language Caucus, develop a comprehensive action plan for the International Year and invites it to present this plan at the seventeenth session of the Forum, in 2018.

United Nations Framework Convention on Climate Change and the Paris Agreement

5. The Permanent Forum welcomes the decision, in paragraph 135 of the Paris Agreement, to establish a platform on local communities and indigenous peoples. That decision recognized the need to strengthen knowledge, technologies, practices and efforts of local communities and indigenous peoples related to addressing and responding to climate change.

6. The Permanent Forum welcomes the establishment of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services to assess the state of biodiversity and ecosystem services. The Forum supports the Platform's operating principles, including that of recognizing and respecting the contribution of indigenous and local knowledge to the conservation and sustainable use of biodiversity and ecosystems.

7. The Permanent Forum also welcomes the decision at the twenty-second session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, held in Marrakech, Morocco, in November 2016, to adopt an incremental and participatory approach to developing the platform on local communities and indigenous peoples with a view to ensuring its effective operationalization.

8. The Permanent Forum invites the secretariat of the United Nations Framework Convention on Climate Change to share the findings of the next open multi-stakeholder dialogues on the operationalization of that platform at the seventeenth session of the Forum. The Forum urges Member States to operationalize the platform in accordance with the provisions of the United Nations Declaration on the Rights of Indigenous Peoples.

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Rapporteur: Mr. Brian **Keane**

Chapter I
Matters calling for action by the Economic and Social Council or brought to its attention

B. Matters brought to the attention of the Council

Recommendations of the Permanent Forum

Dialogues with indigenous peoples, Member States and the funds, programmes and specialized agencies of the United Nations system (items 5-7)

1. The Permanent Forum conducted three focused, interactive dialogue sessions with indigenous peoples, Member States and the funds, programmes and specialized agencies of the United Nations system to provide an opportunity to focus on specific issues and identify ways forward.

2. The sessions were welcomed as an opportunity to enhance dialogue and to have a better understanding of the concerns of indigenous peoples and Member States and the mandate of the funds, programmes and specialized agencies. The Permanent Forum welcomed the idea of holding the dialogue sessions in the future, keeping in mind its mandate.

Dialogue with Member States

3. As a result of the dialogue between the expert members of the Permanent Forum and Member States, the Forum recommends that all Member States:

(a) [*To be inserted*]

Dialogue with the funds, programmes and specialized agencies of the United Nations system

4. On the basis of the constructive dialogue between the Permanent Forum and the Inter-Agency Support Group on Indigenous Peoples' Issues, the Forum recommends that the members of the Support Group demonstrate strong commitment from the highest level.

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5. The Permanent Forum welcomes the constructive dialogue with the funds, programmes and specialized agencies, in addition to the information provided about the initial results obtained in terms of the implementation of the system-wide action plan on the rights of indigenous peoples since its launch at the fifteenth session of the Forum, in 2016. In particular, the Forum welcomes the development of joint programming and activities by United Nations entities and activities conducted at the country level under the six action areas of the action plan.

6. The Permanent Forum urges funds, programmes and specialized agencies, in addition to United Nations resident coordinators, to have special focus on the implementation of the United Nations Declaration on the Rights of Indigenous Peoples and the system-wide action plan in a few designated countries in 2017 and 2018. In selecting the countries for joint action, special attention should be given to countries that already are under focus, such as those that are undergoing national voluntary review for the high-level political forum on sustainable development, those that are under review by the Working Group on the Universal Periodic Review, those that are in the preparatory phases for a new United Nations Development Assistance Framework or those in which a dialogue process between the State and the indigenous peoples is taking place.

7. The Permanent Forum recalls recommendation 7 of its tenth session, regarding the establishment of the Indigenous Peoples' Forum at the International Fund for Agricultural Development, as an example of good practice that should be followed by other United Nations entities. The Forum urges other United Nations entities to report on their progress in this regard at the seventeenth session of the Forum.

8. In accordance with the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples and the system-wide action plan, all funds, programmes and specialized agencies are urged to adopt policies to inform their work with indigenous peoples that include indigenous peoples' right to self-determination and free, prior and informed consent. Progress will be discussed at future sessions of the Permanent Forum.

9. The Permanent Forum requests the Inter-Agency Support Group on Indigenous Peoples' Issues, and specifically those agencies working on land tenure and changes in land use, to step up cooperation in order to operationalize indicators on land tenure and changes in land use pertaining to the traditional territories (lands and waters) of indigenous peoples, as a global multipurpose indicator in order to report on status and trends, in line with the Convention on Biological Diversity, the 2030 Agenda for Sustainable Development and the United Nations Declaration on the Rights of Indigenous Peoples. All relevant funds, programmes and specialized agencies should update the Forum every year on the results of this work.

10. The Permanent Forum welcomes the first indigenous media zone, established at the sixteenth session of the Forum, and encourages the continuation of this initiative at future sessions, in cooperation with indigenous community media, and, where possible, the strengthening of indigenous community media at the regional and national levels.